ANSWERED BY ROOT

Clause Suggested for New Constitution Would Have Weakened Document.

SAYS EX-JUDGE IS WRONG SAID U. S. ACT WAS

Eithu Root, as president of the Constitutional Convention, replied yesterday to contention of ex-Judge Edgar M Cullen that the Constitution should be rejected because it does not contain this

Nor shall any military tribunal ex-ercise jurisdiction over a civilian, un-less engaged in military or naval service, while the regularly constituted State courts are open to administer

Not only does the present Constitution adequately guarantee the people of New York against the abuse of military

York against the abuse of military power, says ex-Senator Root, but that guarantee would be actually weakened by the provision which Judge Cullen insists upon.

Mr. Root also points out that although Judge Cullen was chairman of a committee of the State Bar Association which aided the convention with suggestions, neither in meetings of that committee, nor in its report to the Bar Association which aided the convention with suggestions, neither in meetings of that committee, nor in its report to the Foreign Office on the Mexican revolutionary situation. Charges of having become deeply involved in commercial ventures in Mexico were made against him. He never returned to Mexico.

Sir Lionel first went to Mexico as Consul at Mexico City in 1885 and came to be on intimate terms with President Diaz. His sympathy was with Diaz when the latter was overthrown by Madero, and with Huerta when the latter came into power. Association, nor in discussions by the Bar Association, nor in the proposals hald before the convention, "was a word said or written or printed about amending the Constitution in the way which the Judge now thinks so important."

tution of such a specific provision as now urges was important or desir-

e new revision changes the present onstitution in this respect. Any such at is wholly false. The revision does at add a word to or take a word from acres in extent. Sir Lionel Carden was most active in his efforts to secure the recognition of Gen. Huerta by the United statution against the abuse of milliprover will be left exactly as they power will be left exactly as they person and the Cowdray interests.

There was continued and increasingly in the continued and increasingly interests.

There was conflict between Sir Lionel Carden was the son of the recognition of Gen. Huerta by the United States and diplomatic gossip attributed this eagerness to establish Huerta as President to a desire to protect his own and the Cowdray interests.

There was continued and increasingly interests of Brooklyn. After having served for eight years a Vice-Consul at the Villista delegates are refugees.

Constitution were insufficient but the ground that the Constitution I the provisions in it were sus-

"Manifestly such a decision cannot be the putting additional prohibitions of a constitution. According to the sale all additional provisions would be the colorgement of the Constitution by calling yesterday for 1,000,000 union men to agitate against the adoption of the new Constitution and requesting all labor organizations in the State to contribute to a campaign fund to be used in beating the new Constitution.

The grounds upon which the agitation is to be based are that the proposed Constitution.

to be used in beating the new Constitution.

The grounds upon which the agitation is to be based are that the proposed Constitution would not awould weaken the mean guaranty against the military service, but in war and in rithe courts are open in the courts are o imprison any one inilitary operations. f war military autors first as they h a spy just as they tion under the Constitution punish a citizen for an in-he laws of the land is never

the laws of the land is never from the civil court, with its the military tribunal. We were to but into the Constitute kind of provision which is now ed, that no civilian shall be tried military tribunal while the civil are open, we put into the Constitute open, we put into the Constitution may be tried by military dis when the courts are not open, s to say, if we put such a provito the Constitution when martial is been declared within a given that disnd the courts within that dis-been closed, for the first time istory the military commander we the Constitutional right to r offences against the law. reflect upon the ease with tary commander can ar-

CULLEN'S ARGUMENT CARDEN, MINISTER WHO ASSAILED WILSON, DIES

Recalled From Mexico by England Owing to Part in Oil Intrigues.

"DESPERATE SHAME"

LONDON, Oct. 16 .- Sir Lionel Carden, whose activities as British Minister to Mexico resulted in his recall last year, died this afternoon at his home here.

Sir Lionel Edward Gresley Carden was for thirty-six years in the British diplomatic service in Latin American countries. His last post was that of Minister to Mexico. After a brief incumbency he was ordered to report to the Foreign

dero, and with Huerta when the latter came into power.

The day following Huerta's dissolution of the Chamber of Deputies and his proclamation of himself as dictator the British Minister presented his credentials to the dictator. This action was criticaled at the time as indicative of an unfriendly attitude toward the United States. It was even reported that at our knowledge of Judge Cullen's racter," says Mr. Root, "makes the time of his selection as Minister to Mexico the United States hinted to the British Government its displeasure to the cause of the convention was in session he did not der that the addition to the Convention was in session he did not der that the addition to the Convention was in session he did not der that the addition to the Convention was in session he did not der that the addition to the Convention was in session he did not der that the addition to the Convention was in session he did not der that the addition to the Convention was in session he did not der that the addition to the Convention was in session he did not der the convention was in session he did not British Government its displeasure, be-cause of the consistent anti-American at-titude which he had assumed in earlier

missions.

missions.

While Diaz was in control in Mexico Sir Lionel acquired certain landed interests on the Isthmus of Tehuantepec. Either at the same time or later Sir Weetman Pearson, later Lord Cowdray, became misrepresentation to the effect that he new revision changes the present new revision changes the presentation in this respect. Any such ha is wholly false. The revision does not add a word to or take a word from most active in his efforts to secure the most active in his efforts to secure the

have been since 1821 and as they have been since 1821 and the Cowdray interests.

There was continued and increasingly unpleasant conflict between Sir Lionel served for eight years a. Vice-Consul at Havana he was promoted to be consuit in the consent of the proportions of a weandal. When Gen. Carranza came into control in the proportions of a weandal. When Gen. Carranza came into control in the proportions of a weandal. When Gen. Carranza came into control in the proportions of a weandal. When Gen. Carranza came into control in the proportions of a weandal. When Gen. Carranza came into control in the proportions of a weandal. When Gen. Carranza came into control in the proportions of a weandal. When Gen. Carranza came into control in the proportions of a weandal. When Gen. Carranza came into control in the proportions of a weandal. When Gen. Carranza came into control in the proportions of a weandal. When Gen. Carranza came into control in the proportions of a weandal. When Gen. Carranza came into control in the proportions of a weandal. Wh

range that courts shall be closed in which it has been heretofore used shall remain inviolate forever. (Article I., section 2.)

Third: 'No person shall be deprived of iffe thert: or property without due process of law.' (Article I., section 6.)

(riminal Procedure Defined.

"No civilian can be tried in this States by a military tribunal so long as these provisions stand in the Constitution. It is impossible except by violating all three of them. We have lived under them for more than a century and no mofitary tribunal has ever tried a civilian because, as a verybody knows, no civilian can be tried in the constitution. Instead of adding the constitution. Instead of adding the constitution instead of adding the constitution. Instead of adding the constitution. Instead of adding the constitution instead of adding the constitution instead of adding the constitution. Instead of adding the constitution in the constitution and the constitution was form becoming associates of the controlling interest in the company to the unions from becoming the unions of the unions from becoming the unions of the unions from because the uni

end already existing and would have made the Constitutional guaranties of civil liberty weaker rather than additional provision into our Constitution because of the decisions in some West Virginia cases which sustinged in military criminal exercise jurisdiction over a civilian, unless changed in military tribunal exercise jurisdiction over a civilian, unless changed in military criminal exercise jurisdiction over a civilian, unless changed in military criminal exercise jurisdiction over a civilian, unless changed in military criminal exercise jurisdiction over a civilian, unless changed in military criminal exercise jurisdiction over a civilian, unless changed in military criminal exercise jurisdiction over a civilian, unless changed in military criminal exercise purisdiction over a civilian, unless changed in military or can additional provision for the United Real Estace Owners Association, of which Stewart Browne is president, gave notice yesterday that it opposed the new Constitution for this curious reason:

The West Virginia cases show just the first of the constitution of West Virginia cases show just the provisions in the broad and macomiponising autoration already on the provision as is the contained such a provision as is two provision as is two provisions of the State and sent tells the work of the Federal Revention, and not of either the Real Estace Owners Association for the State Constitution for this curious reason:

"Apart from politicians, the people of his state never knew what the pression is two photometric provisions in the provision as is two photometric provisions as is two provision as is two provision as is two provisions and the provisions of the State and Sent tells and the provisions of the State and Sent tells and the provisions of the

and made inoperative by the in- Calls for 1,000,000 Union Men to Beat New Constitution,



HIRSHFELD FUR MFG. CO. 6 East 41st Street Telephone 1580 Murray Hill.



Sir Lionel Carden.

in some matters."

Photograph taken when the late

accused me of being a traitor.
"On the night of the 13th instant Villa wired Gen. Medinaveitia to take me with an escort to Casas Grandes to discuss matters of vital importance, the message

resence is not necessary.

"Seeing my death sentence I preferred to pass to the American side."

Defections from the Juarez garrison continued to-day. Two majors and three captains of the Villa army fled to the United States. Two colonels, Because of the Villa army fled to the United States. and Lasa, arrived here from Chihuahua,

tember, 1914. Sir Lionel gave out an incerview in which he strongly criticised President Wilson's attitude in Mexico. Among the statements attributed to him at that time were:

"I have been informed that President Wilson has refused sometimes to receive

PLEAD FOR THEIR LIVES. "It is a desperate shame that the United States has seen fit to abandon the decent people of Mexico when they most need help. I do not know the reason for this, but it would seem that President Wilson has been misinformed

Convention Ask Amnesty.

MEXICO CITY, Oct. 16 .- Envoys repre-

DRUG STORE DEAL COMPLETE.

United Drug Co.

Final arrangements' were completed yesterday by George J. Whelan and his associates of the Riker & Hegeman Drug Company for the transfer of the

ersham and Stimson.

nake campaign speeches

C. G. Gunther's Sons

Established 1820

FURRIERS EXCLUSIVELY

FOX SETS

Choice collection of skins made up in

the most fashionable sets.

C.G.GUNTHER'S SONS

Taupe Fox

Smoked Fox

Pointed Fox

Black Fox, etc.

Cross Fox

Red Fox

Dyed Blue Fox

Natural Blue Fox

ending with 'Do not report to me without

bringing Gen. Ornelas."

"A second message from Villa which I intercepted said 'Dispose of Gen. Ornelas before reaching Casas Grandes; his presence is not necessary."

British Minister to Mexico came to Washington and had an interview with President Wilson. having fled from Villa.
Orders were issued to-day by Chief of

Milson has refused sometimes to receive information which did not coincide with the facts as stated by his envoys.

Special Cable Despatch to THE SUN.

in some matters."

Sir Cecil Spring-Rice, the British Ambassador at Washington, at once called at the State Department and expressed officially regrets for the publication of the interview.

Sir Lionel Carden was the son of the State Department and expressed officially regrets for the publication of the interview.

Sir Lionel Carden was the son of the Carrancistas if they appeared in person.

Havana he was promoted to be Consuided in the city of Mexico in 1885. He was Consul-General in Cuba, 1898-1902; Minister at Havana, 1992-05; Envoy Extraordinary and Minister Plenipotentiary in Central America, 1911-13; Minister Barner. Gonzalez leaves for Tologo on Mondov.

Elihu Ropt, George W. Wickersham Henry L. Stimson and Otto T. Bannard are to make campaign appropria

riff Grifenhagen will begin on Wednesday to address nightly meetings in behalf of Bowers. The Sheriff said

"I defy Alfred E. Smith [Democratic nomineel to proclaim honestly his views as to the disposition of the enormous fees now paid to the Sheriff. He cannot favor the abolition of the fee system. for Smith wants them for Tammany.

BANNARD-MARKLE.

New Yorker Weds Pennsylvania filrl at Wilkesbarre,

WILKESBARR, Pa., Oct. 16.-Miss mily Markle, a daughter of Mr. and Mrs. Alvin Markle, became the wife of William Newell Bannard, Jr., of New the Champagne district when German shells made life there precarious, was before Police Recorder Nott in East Orange to-day for begging. He told in interesting story and was released when he proved that he sought work and not money. He is a native Hindu.

York, a son of Mr and Mis. William Swell Baimard of Wilmington, at the First Presbyterian Church this after-toom. The Rev. Dr. William Taylor of Thochester performed the ceremony, assisted by the Rev. Robert B. Jack, pasor of the church.

U. S. TO RECOGNIZE
CARRANZA AT ONCE
IN BUFFALO ELECTION

Backs Ticket for Charter
Commission.

Anti-Catholic Organization
Backs Ticket for Charter
Commission.

Burpalo, Oct. 16.—Lines are forming for the bittereet municipal campaign ing them out of the misery and stavying the lists of my own life to propose to Gen. Villa that he retire as chief of the interior of the control of the con

chosen from a field of forty-six candidates. Sixty-nine per cent. of the registered vote attended the primary election was the run of Bond, who istered vote attended the primary election was scarcely known about the primary election was brought city until the "unit" vote rolled in.

AMSTERDAM, via London, Oct. 16.— Christiania, was appointed to-day in Consul-General at Munich, Germany. Mr. Gale succeeds T. St. John Gaffines. Amsterdam, via London, Oct. 16.— Christiania, was appointed to-day in Consul-General at Munich, Germany. Mr. Gale succeeds T. St. John Gaffines. Amsterdam, via London, Oct. 16.— Christiania, was appointed to-day in Consul-General at Munich, Germany. Mr. Gale succeeds T. St. John Gaffines. Amsterdam, via London, Oct. 16.— Christiania, was appointed to-day in Consul-General at Munich, Germany. Mr. Gale succeeds T. St. John Gaffines. Amsterdam, via London, Oct. 16.— Christiania, was appointed to-day in Consul-General at Munich, Germany. Amsterdam, via London, Oct. 16.— Christiania, was appointed to-day in Consul-General at Munich, Germany. Amsterdam, via London, Oct. 16.— Christiania, was appointed to-day in Consul-General at Munich, Germany. Amsterdam, via London, Oct. 16.— Christiania, was appointed to-day in Consul-General at Munich, Germany. Amsterdam, via London, Oct. 16.— Christiania, was appointed to-day in Consul-General at Munich, Germany. Amsterdam, via London, Oct. 16.— Christiania, was appointed to-day in Consul-General at Munich, Germany. Amsterdam, via London, Oct. 16.— Christiania, was appointed to-day in Consul-General at Munich, Germany. Amsterdam, via London, Oct. 16.— Christiania, was appointed to-day in Consultation and Con

Special 59.50

Franklin Simon & Co.

Fifth Avenue, 37th and 38th Streets

Special Offerings Monday

Hudson Seal Trimmed Suits

A new "Callot" model of Broadcloth, in mahogany, Concord, brown, green, black or navy; muff collar, cuffs and girdle of Hudson Seal. Special Special 45.00

Fur-Trimmed Georgette Gowns

"Jenny" Russian Afternoon Gown of Georgette Crepe, combined with Chiffon Velver, in brown, green, Hague, prune, navy or black. Special 45.00

Velour Cloth Coats-Receson Collar

Poiret Brown Fox Sets

Natura! White Fox Sets

"Bernard" model, in sulphur, terra cotta, purple, green, brown or navy; smart belted front military model; large roll collar of Natural Raccoon; silk

Special 39.50 lined, warmly interlined. "Soiree Silk" Waists New tailored model of real "Soiree Silk," in

white, ciel, sunset, peach, navy, brown or black;

pointed collar and cuffs; ribbon tie.

Real Fox, Dyed Pairet Brown, Large Round

Natural White Fox, Large Round Animal Muff

Animal Muff and Animal Scarf.

and Animal Scarf.

flesh, white, champagne, Joffre blue, purple or navy; richly beaded in design.

Paris hand made waists, of Georgette Crepe, in

Real Fox Fur Sets

Dued Blue Fox Sets

Natural Cress Fox. Large Round Animal Special 150.00

Misses' and Girls' Apparel

Tranklin Simon & Co. are now showing new models in Misses' Suits in all the new wool fabrics; also Velvet, Velveteen and Cordurov, trimmed with high grade

Special Values Monday

Girls' Winter Coats Fur-Trimmed Box plaired model of Camel's Hair Cheviot, in green, brown or navy. Velvet collar edged with Skunk Opos-

Special 14.50 sum Fur. 6 to 16 years. Misses' Wool Velour Coats-Russian Model

Misses' Evening Wraps -Iceland Fox, Fur Trim'd Mother of Pearl Velvet, in rose maize, French or pea-cock blue and white; large collar and cuffs of Iceland

Girls' Serge Dresses -II at Plead Sall Of navy Serge combined with plaid Tahera Silk; serge yoke, sieeves and box plaits; body of plaid taffera;

plaited skirt of serge. 8 to 15 years.

Special Misses' Serge Dresses -Fur Trimmed Coar Dress model of navy blue serge, braid bound and trimmed with Skunk Opossum Fur; white Faille Silk Special 18.50 vestee. 14 to 20 years

Misses' Silk Dresses - Fur Trimmed Of Charmeus, Silk, in Copenhagen, rose, sand, brown or navy, trimmed with fur; Georgette Crepe sleeves, Special 29.50 vestee and collar. 14 to 20 years.

SPECIAL SALES MONDAY

Satin Charmeuse Boudoir Gowns

Silk Lined, Swansdown Trimmed

Women's draped model of Satin Charmeuse, in pink, light blue, rose, Copenhagen, maize or orchid. Trimmed with swansdown, silk lined.

Special 9.75

Smart Winter Boots

For Women and Misses.

with battleship gray kid tops; also patent or black Russia leather, with gray buckskin tops.

. Special 5.50

Silk and Wool Combinations

For Women and Misses.

Special 1.45

Fur Trimmed Broadcloth Skirts

For Women and Misses

New model of Imported Broadcloth, in black, navy, green or brown; detachable belt, with band of Skunk Opossum fur at bottom.

Special 9.75

Pure Thread Silk Hosiery

For Women and Misses

"Richelieu" ribbed, Paris clox, or plain siik Hose. Black, white, gold, silver, bronze, grav, navy and all colors to match shoes, suits or gowns.

Special .85 a pair for 2.50

The New Circular Veil

Of octagon silk mesh, in black, taupe, navy, purple or brown; velvet or chenille dots and lace scroll in various designs.

Special 1.95

Women's Winter Apparel

Real Skunk Trimmed Suits

. A new "Drecoll" model of Imported Broadcloth in green, brown, navy or black; muff collar, cuffs and girdle of Real Eastern Skunk.

rose, turquoise or black, trimmed with paillette banding and wide band of Mouflon fur. Special 59.50

"Lanvin" Decollete Gown of Chiffon Velver, in

Cashmere Velour Coats Fur Trim'd "Jenny" model, of Cashmere Velour, in green, purple, brown or deer; collar, cuffs, band down front and around bettom of Skunk Raccoon, novelty striped silk lining, warmly interlined. Special 69.50

Chiffon Velvet Evening Gowns

Beaded Georgette Waists

Special 15.75

Special 68.00 Real Fax, Dued Blue, Large Round Animal Special 95.00

Natural Cross Fox Sets

Special 98.50 Mulf and Animal Scort.

Furs, new length Coats and latest model Skirts. 14 to 20 years. 29.50 to 145.00

In brown, green, navy or black; convertible chin collar, deep cuits, belt in front, fastened with self-loops, silk lined, warmly interlined. 14 to 20 years Special 19.75

Fox Fur; flowered silk lining. 14 to 20 years Special 39.50

Buttoned or lace styles of selected black Russia leather,

Of all Pure Wool and Silk mixtures, medium weight, low neck, no sleeves, knee and ankle length.

1 Latest Paris Fashion